

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39490 of 2018

Arising Out of PS.Case No. -125 Year- 2018 Thana -MADANPURA District- AURANGABAD
=====

1. Smt. Sarita Kumari @ Sarita Kumari, W/o Late Santosh Ram, R/o
Village- Bangre, P.S.- Madanpur, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s
=====

with

Criminal Miscellaneous No.40003 of 2018

Arising Out of PS.Case No. -125 Year- 2018 Thana -MADANPURA District- AURANGABAD
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1. Ramesh Kumar Singh, S/o Saheb Singh, R/o Village- Ghorhat, P.S.-
Madanpur, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s
=====

Appearance :

(In Cr.Misc. No.39490 of 2018)

For the Petitioner/s : Mr. Ashok Kumar Singh, Adv.

For the Opposite Party/s : Mr. Anish Chandra, APP

(In Cr.Misc. No.40003 of 2018)

For the Petitioner/s : Mr. Ashok Kumar Singh, Adv.

For the Opposite Party/s : Mr. Kumar Vinrendra Narayan, APP
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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 03-08-2018 As both the above mentioned cases arise out of same

police station case, they are clubbed together and are being

decided by this common order for the sake of convenience.

The petitioners in both the above mentioned cases are
apprehending their arrest in connection with Madanpur P.S. Case
No. 125 of 2018, registered for offences punishable under Sections



409, 420, 406/34 of the Indian Penal Code.

Petitioner in Cr. Misc. No. 39490 of 2018 is warden of Kasturba Gandhi Balika Awasiya Vidyalaya, Madanpur and petitioner in Cr. Misc. No. 40003 of 2018 is the accountant in the said school and there is allegation of defalcation of Government money, which was meant for meeting the school expenses for the Financial Years 2015-16, 2016-17 and 2017-18.

It has been submitted on behalf of the petitioners in both the cases that the enquiry report, which is the part of F.I.R. itself shows that out of Rs. 54.50 lacs, Rs. 52,98,226/- has been utilized and the bills and expenses have also been shown and submitted to the authorities concerned and so far remaining amount of Rs. 1,52,000/- is concerned, they are ready to deposit the same, if some time is allowed.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, both the above mentioned applications are disposed of with direction to the petitioners to surrender before the court below within a period of six weeks along with a demand draft of Rs. 76,000/- (Rs. Seventy Six Thousand) each drawn in favour of the District Programme Officer, Aurangabad and the court after verifying the same shall release the petitioners on bail to his own satisfaction on



furnishing bail bonds of Rs. 25,000/- (Rs. Twenty Five Thousand) each in connection with Madanpur P.S. Case No. 125 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The amount so deposited will be subject to the outcome of the case.

Let no coercive step be taken against the petitioner in connection with above mentioned case for a period of six weeks.

(Vinod Kumar Sinha, J)

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